

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**
(Northern Division)

NATIONAL FEDERATION
OF THE BLIND, INC., *et al.*,

*

Plaintiffs,

*

v.

Civil Action No. 1:14-cv-01631-RDB

*

LINDA H. LAMONE, *et al.*,

*

Defendants.

* * * * *

MOTION FOR PRELIMINARY INJUNCTION

Plaintiffs the National Federation of the Blind, Inc. (“NFB”), Ken Capone, Melissa Riccobono, and Janice Toothman (collectively “Plaintiffs”), by their undersigned counsel, pursuant to Fed. R. Civ. P. 65(a) and 42 U.S.C. § 12101(b)(1), move the Court to issue a preliminary injunction against Defendant Linda H. Lamone, in her official capacity as State Administrator of the Maryland State Board of Elections (“the Board”), Bobbie S. Mack, in his official capacity as Chairman of the Board, David J. McManus, Jr., in his official capacity as Vice Chairman of the Board, and Patrick J. Hogan, Rachel T. McGuckian, and Charles E. Thomann, in their official capacities as members of the Board, prohibiting the Board from violating Title II of the Americans with Disabilities Act (“ADA”), 42 U.S.C. §§ 12101-12213, and Section 504 of the Rehabilitation Act of 1973 (“Section 504”), 29 U.S.C. § 794, and requiring the Board to make the online ballot marking tool available for the June 24, 2014 primary election and all future elections. The grounds for this motion are set forth in the attached Memorandum of Law and accompanying exhibits.

WHEREFORE, Plaintiffs request that their Motion be granted and that the Court issue a preliminary injunction against Defendants.

Respectfully submitted,

/s/
Daniel F. Goldstein, Fed. Bar No. 01036
Jessica P. Weber, Fed. Bar No. 17893
BROWN, GOLDSTEIN & LEVY LLP
120 E. Baltimore Street, Suite 1700
Baltimore, Maryland 21202
T: (410) 962-1030
F: (410) 385-0869
dfg@browngold.com
jweber@browngold.com

Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 19th day of May, 2014 a copy of the foregoing, Plaintiffs' Motion for Preliminary Injunction, Memorandum in Support thereof, Exhibits and proposed Order were delivered, via certified mail, restricted delivery, postage pre-paid, to:

Attorney General Douglas F. Gansler
St. Paul Plaza
200 St. Paul Place, 20th Floor
Baltimore, MD 21202

Counsel for Defendants

/s/
Daniel F. Goldstein